

June 23, 2010

TO: Members of the MAG Regional Council

FROM: Councilwoman Peggy Neely, Phoenix, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

Meeting - 5:00 p.m.

Wednesday, June 30, 2010

Sheraton Phoenix Downtown Hotel

Second Floor, Valley of the Sun Ballroom, Room D

340 North 3rd Street, Phoenix, Arizona 85004

Reception - 5:30 p.m.

Desert Peaks Awards - 6:15 p.m.

Sheraton Phoenix Downtown Hotel

Second Floor, Valley of the Sun Ballroom, Room A

**THE NEXT REGIONAL COUNCIL MEETING WILL BE HELD AT THE SHERATON PHOENIX
DOWNTOWN HOTEL AT THE TIME AND PLACE NOTED ABOVE.
(see enclosed driving instructions)**

The Regional Council meeting will be held in conjunction with the 2010 Desert Peaks Awards. MAG will host the Desert Peaks Awards reception at 5:30 p.m. The Awards presentation is scheduled to begin at 6:15 p.m. Parking will be provided by MAG in the hotel parking garage. Transit tickets will be available for those using transit.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admissions to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

If you have any questions, please call the MAG office.

c: MAG Management Committee

**MAG REGIONAL COUNCIL
TENTATIVE AGENDA
June 30, 2010**

COMMITTEE ACTION REQUESTED

1. Call to Order

2. Pledge of Allegiance

3. Call to the Audience

An opportunity will be provided to members of the public to address the Regional Council on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Please note that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.

4. Executive Director's Report

The MAG Executive Director will provide a report to the Regional Council on activities of general interest.

5. Approval of Consent Agenda

Council members may request that an item be removed from the consent agenda. Prior to action on the consent agenda, members of the audience will be provided an opportunity to comment on consent items. Consent items are marked with an asterisk (*).

3. Information.

4. Information and discussion.

5. Approval of the Consent Agenda.

ITEMS PROPOSED FOR CONSENT*

MINUTES

*5A. Approval of the May 26, 2010, Meeting Minutes

5A. Review and approval of the May 26, 2010, meeting minutes.

TRANSPORTATION ITEMS

*5B. American Recovery and Reinvestment Act (ARRA) Status Report

A Status Report on the American Recovery and Reinvestment Act (ARRA) funds dedicated to transportation projects in the MAG region details the status of project development. The report covers highway, local, transit, and enhancement projects programmed with ARRA funds and the status of project development milestones per project. At the May 26, 2010, meeting of the Regional Council, staff provided a presentation on the local projects bid savings, and reported that an accounting on the expenditure of the funds and a possible backup strategy for using bid savings might be available by the June 30, 2010, Regional Council meeting. Please refer to the enclosed material.

5B. Information, discussion, and possible action.

*5C. Update to Federal Functional Classification System

The City of Chandler has requested to classify Airport Boulevard as a Major Collector in the federal functional classification system. MAG concurrence is required in order for the Arizona Department of Transportation to proceed with classification of the facility. On May 27, 2010, the Transportation Review Committee recommended approval and on June 9, 2010, the MAG Management Committee recommended approval. Please refer to the enclosed material.

5C. Approval of the City of Chandler request to classify Airport Boulevard as a Major Collector in the federal functional classification system.

*5D. Project Changes/Amendments and Administrative Modifications to the Fiscal Year 2008-2012 MAG Transportation Improvement Program

The fiscal year (FY) 2008-2012 Transportation Improvement Program (TIP) and Regional Transportation Plan 2007 Update were approved by the MAG Regional Council on July 25, 2007. Since that time, there have been requests from member agencies to modify projects in the programs. ADOT is requesting the addition of three new projects, and there are requests to modify project costs for 12 transit projects. These were heard and recommended for approval at the May 27, 2010, Transportation

5D. Approval of amendments and administrative modifications to the FY 2008-2012 Transportation Improvement Program, and as appropriate, to the Regional Transportation Plan 2007 Update.

Review Committee. Twelve ARRA related project change requests were provided for the first time at the Management Committee meeting on June 9, 2010. The Management Committee recommended approval of the requested changes. Since the Management Committee met, there are 21 new project change requests related to ARRA projects and 12 requests for project changes related to transit projects funded with Federal Transit Administration (FTA) funds in FY 2010. All ARRA projects are being modified to reconcile the project costs from cost savings. Please refer to the enclosed material.

*5E. Interim Closeout of the Federal Fiscal Year 2010 MAG Federally Funded Program

There were 28 projects submitted to MAG for closeout funds, requesting \$7.9 million to be advanced and \$15.6 million of new funds. After calculating the estimated amount of federal surface transportation program (STP) and federal congestion mitigation air quality (CMAQ) funds available for the MAG region for federal fiscal year (FFY) 2010, and deducting the funding commitments for projects this fiscal year and future funding commitments for projects and regional programs identified in the Draft FY 2011-2015 MAG TIP, it is determined that the money available for FFY 2010 Closeout is \$2.204 million from projects that are requesting to be deleted from the TIP. Please see the attached memorandum, Table A that lists the projects requesting deferrals and deletions, and Table B, which lists the projects submitted for Closeout. Projects highlighted in Table B are the projects associated with the motion. On June 9, 2010, the MAG Management Committee recommended approval. Please refer to the enclosed material.

5E. Approval of additional projects to be deferred from FFY 2010 to FFY 2011 or later and additional projects requesting removal of federal funds; advancing the three projects submitted for priority I and IA projects to FFY 2010; allocating the \$2.204 million from deleted projects in FFY 2010 by the cities of Glendale and Mesa to fund Glendale's GLN09-609 with \$63,000 and fund Mesa's, MES08-604 and MES10-810 with \$2,141,307; and amending and modifying the FY 2008-2012 Transportation Improvement Program, and as appropriate, the Regional Transportation Plan 2007 Update.

AIR QUALITY ITEMS

*5F. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the FY 2008-2012 MAG Transportation Improvement Program (TIP). The

5F. Consultation.

proposed amendment and administrative modification involve several projects, including a new Arizona Department of Transportation pavement preservation project on State Route 85, a new region wide Intelligent Transportation Systems project, a new Transportation Enhancement project located at Interstate-17 at the Central Arizona Project, and transit projects. The amendment includes projects that may be categorized as exempt from conformity determinations. The administrative modification includes minor project revisions that do not require a conformity determination. Please refer to the enclosed material.

GENERAL ITEMS

***5G. Approval of Electric Vehicle Charging Infrastructure Deployment Guidelines**

On April 16, 2009, MAG entered into a Memorandum of Understanding with ECOtality and Nissan North America to support the adoption of electric vehicles in an effort to address environmental concerns in the region. On August 5, 2009, ECOtality North America was selected by the U.S. Department of Energy for a grant of approximately \$99.8 million to implement the largest deployment of electric vehicles and charging infrastructure in history. The ECOtality initiative, in partnership with Nissan North America, proposes to deploy charging infrastructure in major population areas, including Phoenix/Tucson. On March 17, 2010, ECOtality presented the Electric Vehicle Charging Infrastructure Deployment Guidelines version 2.0 document to the MAG Building Codes Committee (BCC). The MAG BCC reviewed the document and provided feedback to ECOtality. On May 19, 2010, ECOtality presented version 3.0 of the Electric Vehicle Charging Infrastructure Deployment Guidelines to the MAG BCC. The Deployment Guidelines document is intended to create a common knowledge base of electric vehicle (EV) requirements for stakeholders involved in the implementation of EV charging infrastructure. ECOtality's Deployment Guidelines provide the

5G. Approval of the Electric Vehicle Charging Infrastructure Deployment Guidelines document version 3.0 as guidelines to the implementation of infrastructure that will support and encourage the adoption of electric vehicles in the MAG region.

necessary background information for understanding EV requirements and the related codes, laws and standards for this effort. At the May 19, 2010, meeting of the MAG Building Codes Committee, the committee voted to recommend approval of the EV Charging Infrastructure Deployment Guidelines document version 3.0 as guidelines to the implementation of infrastructure that will support and encourage the adoption of electric vehicles in the MAG region. On June 9, 2010, the Management Committee recommended approval of the guidelines. Please refer to the enclosed material.

*5H. FY 2011 MAG Regional Plan to End Domestic Violence

The first MAG Regional Plan to End Domestic Violence was approved by the MAG Regional Council in 1999. The MAG Regional Domestic Violence Council, with more than 150 stakeholders, has developed a new Regional Plan responding to the changing dynamics created by the recession. Fifteen strategies in the areas of funding, training and education, coordination and collaboration, and services were developed to maximize impact with limited resources. The MAG Regional Domestic Violence Council recommended approval of the Regional Plan on May 6, 2010, and the MAG Management Committee recommended approval on June 9, 2010. Please refer to the enclosed material.

5H. Approval of the FY 2011 MAG Regional Plan to End Domestic Violence.

ITEMS PROPOSED TO BE HEARD

TRANSPORTATION ITEMS

6. Appointment of Members and Officers for the Transportation Policy Committee

On April 24, 2002, the Regional Council approved the composition of the Transportation Policy Committee (TPC). The composition of the TPC provided that the Central City and the seven largest cities have a seat on the TPC, and five seats be selected from the remaining cities and towns. Three of the five would be from areas that need to be represented to achieve

6. Appointment of the members and officers of the Transportation Policy Committee.

geographic balance, with the members selected from and by the under-represented geographic area and ratified by the Regional Council. Interstate 17 is used as a boundary in determining geographic balance. Two At-Large (geographically balanced) would be selected by the Regional Council. The three members to achieve geographic balance, the two At-Large members, and the Native American member serve for two years and are eligible for reappointment. The officers (Chair and Vice Chair) serve one-year terms with succession of positions occurring through the ascending order of officers. The Regional Council is requested to appoint the members of the TPC and the officer positions. Please refer to the enclosed material.

AIR QUALITY ITEMS

7. Update on Exceptional Events and MAG Five Percent Plan for PM-10

At the May 26, 2010, Regional Council meeting, staff provided an update on four exceptional events at the West 43rd Avenue monitor in 2008 and EPA's decision to disapprove the MAG Five Percent Plan for PM-10 for reducing dust pollution in the Valley. The MAG Regional Council directed staff to bring recommendations to the Executive Committee on obtaining legal advice and suggested that staff work with the Governor and the Arizona Congressional Delegation to stay the action of EPA until EPA corrects its flawed policy. On June 21, 2010, the MAG Executive Committee directed staff to retain legal counsel and other consultants to take administrative action needed regarding the EPA nonconcurrence on the four exceptional events at the West 43rd Avenue monitor in 2008 and the EPA's intent to disapprove the MAG Five Percent Plan for PM-10 for reducing dust pollution in the Valley. On June 23, 2010, EPA indicated that the consent decree has been lodged with the court, but still has to go out to public notice. EPA has to propose action on the MAG Five Percent Plan for PM-10 by September 3, 2010, and finalize the action by January 28, 2011. An update will be

7. Information and discussion.

provided to the Regional Council. Please refer to the enclosed material.

GENERAL ITEMS

8. Election of Regional Council Officers and Executive Committee Members

On May 26, 2010, the MAG Nominating Committee recommended a slate of officers for 2010-2011. The MAG officer positions are Chair, Vice Chair and Treasurer. The officers serve one-year terms with succession of positions occurring through the ascending order of officers. In accordance with the MAG Nomination Process, three At-Large members were also nominated to serve on the Executive Committee. According to the MAG Nomination Process, the Past Chair of the Regional Council also serves on the Executive Committee. Please refer to the enclosed material.

9. Request for Future Agenda Items

Topics or issues of interest that the Regional Council would like to have considered for discussion at a future meeting will be requested.

10. Comments from the Council

An opportunity will be provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

Adjournment

8. Election of the Regional Council officers: Chair, Vice Chair and Treasurer, and the three At-Large Members as members of the Executive Committee. According to the MAG Nomination Process, the Past Chair of the Regional Council also serves on the Executive Committee.

9. Information and discussion.

10. Information.